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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

8 Plaintiff(s),

9 v.

10 DEQUANE MOORE,

11 Defendant(s).

Case No. 2:19-CR-171 JCM (VCF)

ORDER

12  
13 Presently before the court is the United States of America's (the "government") petition  
14 for action on conditions of pretrial release. (ECF No. 25).

15 Defendant Dequane Moore ("defendant") is charged with being a felon in possession of a  
16 firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). (ECF No. 1). On July 25, 2019,  
17 defendant was arrested by a Las Vegas Metropolitan Police Department officer and turned over to  
18 federal custody. (ECF Nos. 12, 17 at 4). The next day, defendant appeared before the magistrate  
19 judge and was detained pending trial. (ECF Nos. 15, 16).

20 On August 8, 2019, defendant moved for review of the magistrate judge's detention order.  
21 (ECF No. 17). The government never responded and never requested conditions for his release.  
22 Accordingly, this court reviewed the magistrate judge's detention order, and, on August 26,  
23 ordered defendant's release pending trial. (ECF No. 23).

24 The court instructed defendant to reside with his fiancé, Danyelle Hicks, and remain at the  
25 residence at all times. *Id.* at 5. The court further instructed the defendant to refrain from  
26 possessing a firearm, destructive device, or other dangerous weapon, from excessive use of  
27 alcohol, from any use of a narcotic drug or other controlled substance. *Id.* Defendant must also  
28 make payments to Georgia to clear a pending warrant. *Id.*

1 The court ordered the defendant's release after finding that his conduct in the instant case  
2 did not indicate that he was a flight risk. The court imposed conditions it felt necessary to ensure  
3 the defendant's attendance in court. The day *after* the court ordered defendant's release, the  
4 government filed the instant petition requesting additional conditions be imposed on defendant's  
5 release.

6 The government had ample opportunity to respond to defendant's motion prior to the  
7 court's order and request conditions for the defendant's release prior to the court's order. The  
8 government failed to do so.

9 Accordingly,

10 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the government's petition  
11 for action on conditions of pretrial release (ECF No. 25) be, and the same hereby is, DENIED.

12 DATED September 5, 2019.

13   
14 UNITED STATES DISTRICT JUDGE